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*ADMITTED IN MARYLAND & D.C.

May 15, 2020

BY ELECTRONIC FILING

Hon. Peter J. Messitte
U.S. District Judge
U.S. District Court for the District of Maryland
6500 Cherrywood Lane, Suite 475A
Greenbelt, Maryland 20770

RE: Lee Boyd Malvo v. Warden Mathena, et al., PJM-13-1863
Parties' Joint Status Report

Dear Judge Messitte:

In accordance with the Court's April 16, 2020 paperless request for a status report (ECF 42), the parties submit the following update:

This Joint Status Report will supplement the most recent status report of September 25, 2019 (ECF 39).

Activity in Court of Special Appeals of Maryland

The case remains stayed in the Court of Special Appeals. *Malvo v. State*, No. 1436, Sept. Term 2017 (Md. Ct. Spec. App., filed Nov. 9, 2017).

Activity in the Court of Appeals of Maryland

Mr. Malvo's "prejudgment" certiorari petition before the Court of Appeals of Maryland remains pending. *Malvo v. State*, Pet. No. 476, Sept. Term 2017 (Md., filed Jan. 25, 2018).

Activity in the United States Supreme Court

Mr. Malvo's case was argued before the United States Supreme Court on October 16, 2019 (*Mathena v. Malvo*, No. 18-217). The case was dismissed on February 26, 2020 pursuant to Rule 46.1 because Virginia Gov. Ralph Northam signed legislation that created the possibility of parole for juvenile offenders serving sentences of 20 years to life. (Attachment A.)

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Conclusion

In light of this history, the parties urge the Court to maintain the stay in this case and allow the ongoing state appellate proceedings to run their normal course.

Respectfully submitted,

/s/ William C. Brennan, Jr.

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